

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Criminal No. 08-621(AET)
	:	
v.	:	Hon. Anne E. Thompson
	:	
MIGUEL AVILES,	:	<u>Continuance Order</u>
JAVIER GARCIA and	:	
JULIO TORRES	:	

This matter having come before the Court on the application of Christopher J. Christie, United States Attorney for the District of New Jersey (R. Joseph Gribko, Assistant U.S. Attorney, appearing) and Brian Riley, Esq., appearing for defendant Miguel Aviles, Michael Pedicini, Esq., appearing for defendant Javier Garcia and Wanda Aiken, Esq., appearing for defendant Julio Torres, for an order granting a continuance of the proceedings in the above-captioned matter, and the defendants being aware that they have the right to have the matter brought to trial within 70 days of the date of their appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendants have consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. Plea negotiations are currently in progress, and both the United States and the defendants desire additional time

to negotiate a plea agreement, which would render any trial of this matter unnecessary;

2. Additional time is necessary in which to negotiate a plea agreement;

3. Defendants have consented to the aforementioned continuance;

4. Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendants in a speedy trial.

WHEREFORE, on this 2nd day of December, 2008,

IT IS ORDERED that pretrial motions shall be filed by December 19, 2008; and

IT IS FURTHER ORDERED that the opposition to any motions is due January 5, 2009; and

IT IS FURTHER ORDERED that hearing on any motions will be on January 20, 2009, at 10:00 a.m.; and

IT IS FURTHER ORDERED that the trial is scheduled for February 3, 2009; and

IT IS FURTHER ORDERED that the period from December 2, 2008, through February 3, 2009, shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(8).



HON. ANNE E. THOMPSON
United States District Judge